

THE BLACK PANTHER

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THE BLACK PANTHER PARTY

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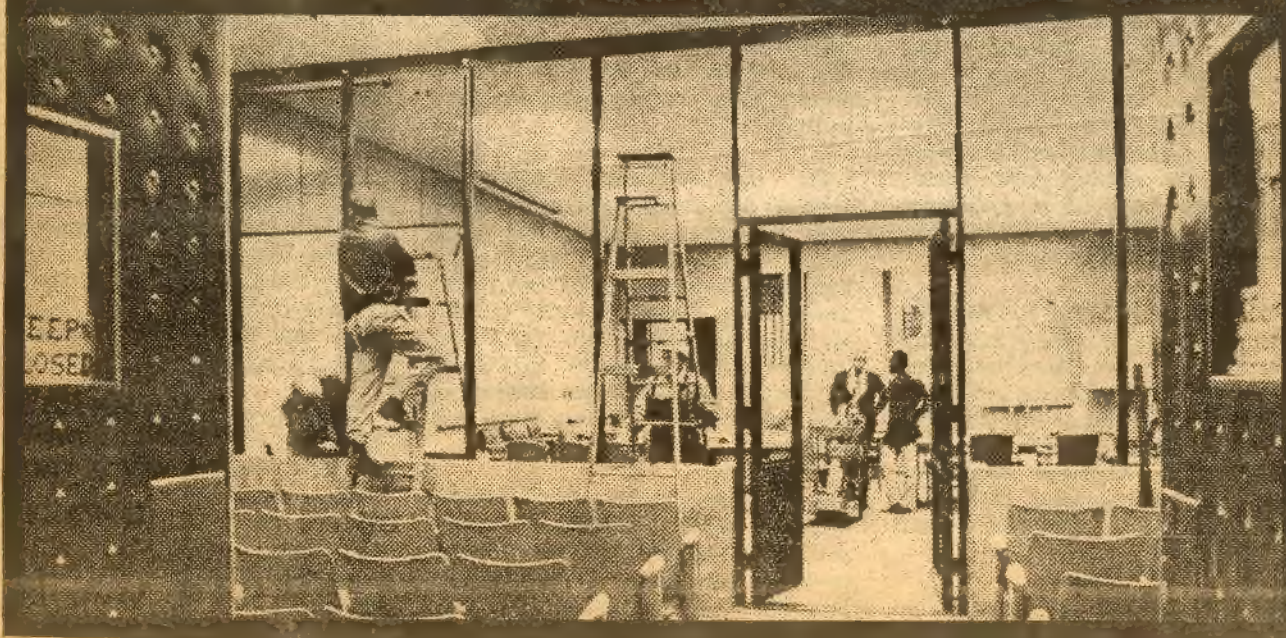


THE GLASS CAGE MUST COME DOWN!

GEORGE JACKSON

JOHN CLUTCHETTE

FLEETA DRUMGO



SEE STORY ON CENTER PAGE



How much rent would you pay to live here?

IS PROVIDING HOUSING FOR THE HOMELESS A CRIME?

In the early hours of the morning on January 18, 1971, Memphis police arrested thirteen members of the newly-formed Memphis Branch of the Black Panther Party (then, the National Committee to Combat Fascism). The members of the Party were arrested in two separate police raids—at the headquarters and at apartments owned by the Memphis Housing Authority (MHA) on Texas Street.

Their crime? Trying to force the city to provide poor people with housing that is fit to live in. They were arrested because they moved ten Black families into apartments that the MHA left sitting vacant. These families had been living in buildings with rats, roaches, broken plumbing, little heat and in some cases with only half a roof over their heads.

Some of the families were being evicted into the streets in the middle of the winter. Almost all of them had sick children, as a result of unfit

living conditions. Some of their houses had been condemned by the public health department. All of the families had applied to the MHA for public housing. None of them had been given any place to live.

On the day that some of the families were scheduled to be forced onto the streets, the Brothers and Sisters moved them into MHA housing that was standing empty two blocks away. MHA Director Orelle Ledbetter said he would meet with Black Panther Party members on Monday to discuss the situation. Instead, he sent in an army of police in the dead of night.

As a result, 16 people are being brought to trial in Memphis on charges of "conspiring to interfere with state trade and commerce." They may go to jail. And if they are convicted, anyone else who stands up for the rights of poor and oppressed people could be next.

Before Black Panther Party members moved her into MHA housing at Texas Court, Mrs. Vinnie Boyd lived in a three-room shack on Horace Avenue. She and her nine children had been living there for two years.

Mrs. Boyd had to cover the floor with mattresses and boards to keep the air from coming through the cracks. One of her babies was nearly killed when part of the roof in the back room collapsed. When the Panthers came to move her family out, the roof still had not been fixed.

Water pipes in the house were broken; the toilet only worked part of the time. Rats were everywhere. Leo Boyd remembers one rat that was so big they had to kill it with a shotgun. The Boyds could see their next-door neighbors through the holes in the walls.

The Boyds paid Louis Epstein \$52.50
CONTINUED ON PAGE 15

BOYETTE MOVES ONE STEP FARTHER FROM THE PEOPLE



Bill Boyette went back on his word and has turned his back on the Black community.

Bill Boyette of Oakland, California, who is the President of Cal-State Package Store and Tavern Owners Association (Cal-Pac) and owner of Bill's Liquor Stores #1 and #2, has more than taken a negativistic view of the People's request that he aid, through regular, weekly donations, in the People's Survival Programs. That is, that Bill Boyette not only owns businesses in the Black community, but as a Black man, a Black businessman, he has led a drive of his fellow Cal-Pac members to refuse to respond to the call of Unity in the Black community. After discussions with our Party, Cal-Pac had agreed to make such regular donations to the survival programs, such as the Free Breakfast, Free Clinic programs, etc., if we would aid them in their attempt to get more Blacks hired by major liquor distributors (See July 10, 1971 issue of the Black Panther Intercommunal News Service). The Black Panther Party, along with Cal-Pac and members of our community, helped to do this by participating in a boycott of a local chain store market (Mayfair) and shut it down within four days.

It was at this point that Boyette, particularly - as some others in Cal-Pac have donated in the past - offered some eggs, meat, milk, etc. on a one-time basis to go toward the Free Breakfast program. This verbal agreement had been an agreement among Black people. But, Bill Boyette wanted to pay the people off and let it go at that, hopefully getting rid of his possibly having to help us again in the future. Because he negated the agreement, fell back on his word, the Black Panther Party initiated a boycott of one of his liquor stores (See August 9, 1971 issue of the Black Panther Intercommunal News Service).

Although picketers, who have been boycotting for almost two weeks now, have been insulted by Boyette and his employees, cussed at by them and made



Boyette's employees do as they're told.

to bear the brunt of being hosed with water and threatened, they have remained peaceful, constantly walking, maintaining a peaceful protest.

All of this did not phase Boyette. For not only did Bill Boyette turn his back on the People, not only does he sanction such acts against the People in addition to sanctioning heavy police patrols of the picketers, but now he has moved one step farther away from Black people and toward the oppressors. On August 10th, the day Huey P. Newton went to court to receive information as to the date of his re-trial, Bill Boyette had Oakland authorities serve Huey, personally, with a restraining order. This order from the police states that those brothers and sisters boycotting are blocking Boyette's liquor store's entrance-way and driveway. Besides the fact that this is totally untrue, Boyette, with the back-up of the city of Oakland, is forcing the Minister of Defense to once again return to the fascist courts to de-

BLACK BUSINESSMEN— WE ARE CALLING FOR UNITY IN THE BLACK COMMUNITY

You can help our Black communities through regular donations to the People's Survival Programs. Select one from the list below. Checks should be made out to the survival program you choose and sent to:

P.O. Box 8641, Emeryville, California 94608.

ALL POWER TO THE PEOPLE

FREE

- BREAKFAST FOR SCHOOL CHILDREN
- CLOTHING PROGRAM
- SHOE PROGRAM
- BUSSING TO THE PRISONS PROGRAM
- COMMUNITY LEGAL AID EDUCATION PROGRAM
- FOOD PROGRAM
- INTERCOMMUNAL YOUTH INSTITUTE AND LIBERATION SCHOOLS
- MEDICAL CLINICS
- AMBULANCE SERVICE (IN PROGRESS)
- PLUMBING AND MAINTENANCE SERVICE (IN PROGRESS)
- AND A PEOPLE'S SICKLE CELL ANEMIA RESEARCH FOUNDATION

fend himself. On August 18th, Huey must appear in court on these charges. Boyette had the same order issued against our Chairman, Bobby Seale, and 100 additional orders - un-named, which are waiting for the protesting brothers and sisters.

This move only tops Boyette's recent slanderous public press statements that the Black Panther Party, and Huey P. Newton particularly, have threatened him, are committing extortion upon him and harass him, when in fact Bill Boyette is becoming himself a harassing menace to the Black community. He sits there with his pockets full of the People's money and refuses to donate a few dollars weekly to the People's Survival Programs. No, we will not support such an unconcerned man. The boycott will go on until Boyette and Cal-Pac decide to return to the People.

ALL POWER TO THE PEOPLE

TWENTY-FIVE DOCTORS HAVE NOT HELPED SICKLE CELL VICTIM



The above photo is a magnified illustration of the red blood cells taken from a patient in a sickle cell crisis. Three of the cells are sickled and the other stretching away from its normal, donut shape.

The following is an interview with Mrs. Glenda Cotton, 22 years old, of 3531 Cadillac Boulevard, Detroit, Michigan.

Q: When did you find out you had Sickle Cell Anemia, Mrs. Cotton?

A: When I was about 10 years old, my grandmother took me to a doctor and he said that's what I had. (Because I used to have leg pains.) They're sort of like arthritis; if it's not in the leg, it's in the arm. It got so bad that I couldn't walk. So she took me to a doctor. All he said he could give me was some pills. Every winter - it never missed a winter - the pain would begin and I'd have to go back to the doctor, quite frequently. So, when I got pregnant with my daughter, I found out she has the trait, because I had a blood-clot. And the doctor said the kind she had was Sickle Cell Trait. But, they call it Sickle Cell - S.C.

Q: What is S.C.?

A: I really don't know what it means, but when I got out of the hospital in April, that's what the doctor told me. She told me that wherever I go, if I get sick tell them right away and they'll know what to do. Anyway, I can easily get a blood-clot; I can bump up against something and get a blood-clot. Other than that, it's just pains in the legs and arms. My daughter has been bothered with it once.

Q: What kind of medication do you usually receive?

A: Darvons (a pain killer - used for almost any pain).

Q: Darvons?

A: Yes, the small kind, not the big ones, the real small ones, pink all over.

Q: Is that the only thing they give you?

A: That's the only thing this doctor gave me. But when I was in the hospital, they gave me antibiotics. At least that's what they told me. I don't remember the name given.

Q: About how many doctors have you had or been to?

A: Ever since I've had it about twenty or twenty-five. I've been to specialists and all different kinds of doctors. They just gave me some Darvons and that's it. I would take them 'cause it would stop the pain. But every winter the pains would come right back.

Q: The only time you get the pains is in winter?



Mrs. Glenda Cotton

A: That's the only time. I don't know why; but that's the only time. My daughter got it once in the summer. A couple of times, I received a blood-clot behind getting sick, they say that's where the clots come from.

Q: Is there any specific place where you have the blood-clots?

A: I had one in my left leg.

Q: Mrs. Cotton are there any restrictions or limitations on your diet due to Sickle Cell Anemia?

A: No. The doctor hasn't put me on a special diet or anything like that. I have been sick, I've been in the hospital 3 times this year. I don't know whether it was from that or not; but there was

no particular diet.

Q: You also speak of the remedy that the doctor prescribed, the small Darvon - do you feel this pill helps?

A: No, no it's not helping; it just eases it at that particular time. And, after that you have the same thing once again. And if you've had it long as I have had it, you look forward to it every winter, because you know it's going to come. At least it hasn't failed yet.

Q: Mrs. Cotton, have you ever been tested or screened for Sickle Cell Anemia?

A: Yes. My mother took me to a specialist when I was small.

Q: Which doctor?

A: I don't know, but I remember her.

Q: Mrs. Cotton, are you aware of the testing and screening of Sickle Cell Anemia at Kirwood Hospital on Davison, on the westside of town?

A: No, I heard about it. The new things that have been found out about, I don't know nothing about.

Q: Are you employed?

A: No. The doctor said I couldn't hold a job.

Q: You have had a job since the first crisis?

A: No, I've never worked in my life.

Q: Would you volunteer your services for a time at your convenience to help out in the project of fighting against Sickle Cell Anemia?

A: Sure, I'll do anything I can; because if I haven't waited too late to help my daughter with it, I'd really like to see something done about it, because she's just 5 years old... Maybe I can help other people, because at the same time I'll be helping myself.

ALL POWER TO THE PEOPLE

LETTER TO WESTMORELAND



General Westmoreland



Department of the Army
Headquarters, 24th Transportation
Battalion (Terminal)
APO SF 96312

W.C. Westmoreland
General, United States Army
Chief of Staff
Washington, D.C. 20310

Dear General Westmoreland:

I have decided to communicate with one of the people that controls the people that think they control me and my contemporaries. I declined to exercise the chain of command because experience has shown me that my so-called leaders, designated by the ruling class, are not qualified to handle the contents of this letter. Below is a very brief paragraph of my prior military life.

Entrance into the Army was 18 April 1969 for a period of three years. I have no record of disciplinary action. I am a personnel specialist (71H20) and have performed this duty at all times while a member of your Army. If some members of your organization don't kill me first, I'm due for rotation in November, 1971.

I request immediate discharge from

the organization that over-exploits, destroys minds, feeds the fires of hate and denies adequate support for my beautiful Black mother and progressive manchild. I know, for a fact, and believe that the perpetrators of this war, and all wars, do not care whether or not I see my loved ones again. I have completed more than two-thirds of my enlistment contract and the records show that this service has been determined honorable. I cannot/will not continue on in this vein. I, like all people, have a conscience. My sympathies are with the Viet Cong; so how can I play the role of representative of Amerika in Vietnam. Rather than request, I demand immediate discharge for the good of the service. The assumption is that you are an intelligent man. I want you to review this letter with that point of view.

A soldier's life is difficult, especially if he is a thinking man. If the soldier is Black, the difficulty is multiplied tenfold. If the Black G.I. is thinking, his very presence spells trouble...from all sides. I speak from experience and my beautiful mother, whom you people neglect, taught me that it (experience) is the best teacher. There have been occasions when I displayed military courtesy (though I abhor the vicious reality of

your flag, stripes and eagles); by keeping me in the military, you are depriving me of the inspiration I desire. This inspiration is not mandatory, but it is helpful. If you don't release me, I'm still going to educate the people to the vicious ways of the machine.

I state once again, release me so that I can be with those that I love... the true patriots...the sons of Step'n Fetchit...with the minds of Malcolm X.

I deliberated long before writing to you. You may send out your reactionary forces as a result of this letter but, we, you too, all are destined to die one day. At the rate your subordinates are moving, they are trying to make my death premature.

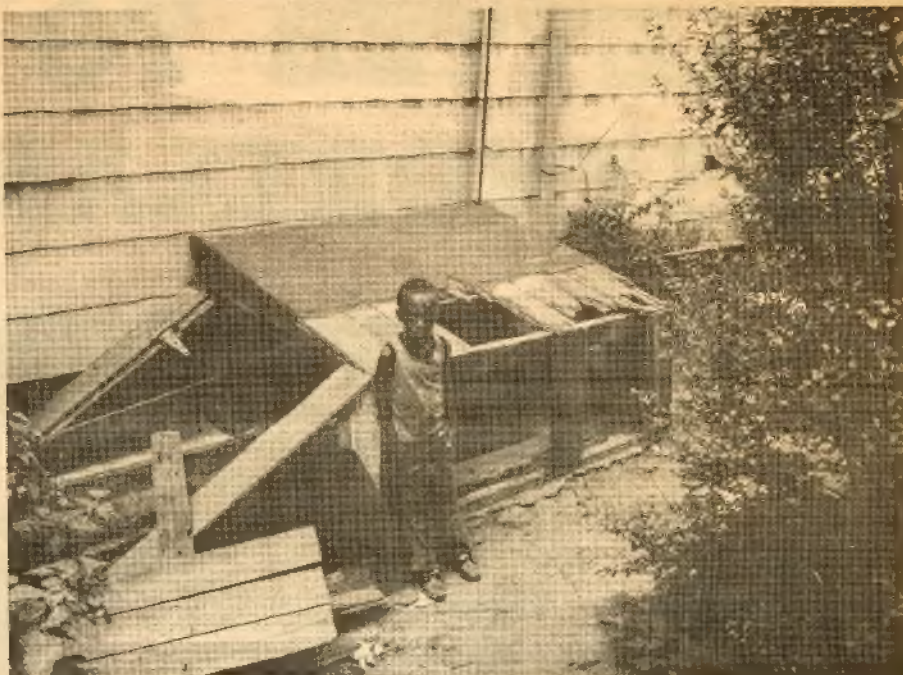
I relate to other (all) members that are victims of your super-structure. Do you realize that your Vietnamization/Pacification is reducing the Vietnamese people to serfdom. (Years ago my people cleaned your houses and your sperm was forced into women.) General, you have been to Vietnam; isn't this what is happening now? To have subservients in Indo-

CONTINUED ON PAGE 16

A ROOF OVER OUR HEADS

On last July 4th, Albert Mathis Jr., five years old, was playing with some friends in his backyard at 647 Orchard Street. As Albert climbed up on the cellar roof attached to his house and sat down, decaying parts of the roof gave way and Albert fell through on his head. Mrs. Rose Mathis said she ran over to the cellar when she heard her child's screams. Albert was taken to Yale New Haven Hospital where he received several stitches in his head. The following Tuesday, July 6th, Mrs. Mathis called slumlord, Louis Kasimer, of 397 Ocean Avenue, West Haven, his suburban residence. She called to ask him to fix the cellar door. She told him this was desperately needed as her son had had a serious accident because of the weakness of the cellar door. The only reply she received was, "So what do you want me to do about it?" But the Mathis family was familiar with this reply, as for the past two years they've been asking this vicious, unfeeling man to fix their kitchen roof.

Albert, Rose Mathis and their three children have been forced to live under these particular wretched conditions for eight years. And they must pay \$100, a month rent, without utilities, to do so. The inside of the Mathis house is in very critical condition. The ceilings are decayed and falling down; and water constantly drips from the ceiling, due to faulty pipes and a bad toilet system. All the floors of the Mathis home are rotted and their



This is New Haven, Connecticut - a modern city, 1971.

house is flooded all the time. Mr. and Mrs. Mathis have worked hard all their lives and surely deserve better than they have.

ends meet, much less fix up their home. As a result of these conditions, their own, beloved son has almost lost his life.

But to make matters worse, Mr. Mathis has been out of work for eight months now. He was therefore forced to apply for state aid, to help him

The Mathis family is unfortunately only another clear example of the treatment received by Black and oppressed people in racist, capitalistic America.



Two years of begging a racist landlord have resulted in these "repairs".

support his family. He said that the city welfare gives him \$41.00 a week, "That isn't enough to feed a family of five or buy clothes." And Mrs. Mathis has lost her job at the Wonder Bread Bakery (They just decided they were closing shop.). She therefore collects unemployment. Coupled with the \$41.00 the city generously allows Mr. Mathis, they are hardly able to make

Slumlords only appear when rent is due; and aid from the government is almost less than nothing. The Mathis family and all Black and oppressed people need a survival kit to insure future life.

ALL POWER TO THE PEOPLE
Connecticut State Chapter
Black Panther Party

AND THERE ARE ALWAYS THOSE WHOM THE OPPRESSOR CAN BUY



THE TRAITOR —
MELVIN "COTTON" SMITH



Over 400 police troops
attacked this office.

On December 8, 1969, members of the Black Panther Party along with members of the Black community were arrested as a result of a systematic attack by Los Angeles and other police agencies upon the Los Angeles Offices and homes of the Southern California Chapter of the Black Panther Party. All together, eighteen people were arrested and charged; they became known as the "L.A. 18". They are now being tried for attempted murder, possession of dangerous weapons and conspiracy to commit murder upon attacking police officers, when in fact, they were the victims of a conspiracy by the Los Angeles city government, along with the California State government and the federal government, to actually murder and destroy the Black Panther Party Chapter there, as well as the Black community.

Of these eighteen people, five are not involved in this present trial, for

a variety of reasons. The remaining thirteen now on trial include four members of the Black Panther Party: Robert Bryan, Tommye Williams, Albert Armour and Craig Williams. The other nine are members of the Black community.

The December raid was staged primarily by two auxiliary forces of the Los Angeles Police Department, the Metropolitan Squad or "Metro Squad" and the S.W.A.T. (Special Weapons and Tactics) Team. The S.W.A.T. Team is Los Angeles' counter-insurgency force created under the direct orders by Mayor Samuel Yorty. All members of the S.W.A.T. Team are volunteers who, prior to this raid, underwent six months of intensive training at the nearby U.S. military base, Camp Pendleton. Additionally involved in this attack were troops from all Los Angeles police precincts, as well as an alerted National Guard unit.

The people of the Black communities



Melvin Smith denounces the Black Panther Party, because we wish to eliminate such scenes in our Black Communities.

where these raids took place were instinctively aware that something was wrong, particularly those who lived near the focal point of the attack, the Chapter's Central Headquarters of-

fice. People observed the S.W.A.T. Team cordoning off the streets of the community early in the morning of December 8th. But they were unsure and afraid of the fascists' exact intent. The greater part and force of this vicious attack upon the Los Angeles Black community being concentrated upon this Central Headquarters office and its surrounding neighborhood, at least 400 police troops were immediately on hand that morning to launch their search and destroy mission in the ten-block square area that had been cordoned off. They used the exact same type weapons and heavy equipment used in Vietnam presently by U.S. ground forces, such as an M-60 machine gun, M-16 rifles, high-powered rifles, tear gas launchers, dynamite and helicopters. They also had access to a waiting Army Personnel Carrier (tank) and the additional equipment of the waiting unit of National Guardsmen.

The attack was concentrated upon this office, but not confined to the of-

fice itself, for the surrounding Black community was also subjected to the same vicious attack. The small busi-

CONTINUED ON PAGE 13

A HUNG JURY FOR HUEY P. NEWTON



HUEY P. NEWTON
MINISTER OF DEFENSE
BLACK PANTHER PARTY

The courts of American injustice have run roughshod over the lives of so many people that now the idea of receiving any semblance of a fair and impartial trial has been completely cast aside. We now know that in this year, a year full of political trials, 1971, that if there is to be a victory of any kind for the People, it would have to come from the People; or more specifically from an individual or individuals on a jury who could be truly objective, who would weigh the evidence without tainting their verdict with racism or biases developed prior to becoming a juror (especially if the person accused is Black and/or in some way rejects the oppressive conditions of this society).

On Sunday, August 8th, after six days of deliberation, the jury in the trial of Huey P. Newton, Minister of Defense of the Black Panther Party, returned with the results of their deliberation. They revealed that they were unable to reach a unanimous

decision - as required by law. Only one person had stood against the majority. The majority had voted to convict the Minister of Defense. That one person, for six long days, had stood with justice and had refused to be compromised by the will of an un-objective majority.

Mrs. Juanita L. Henderson is that person, a woman who had the courage to stand by her convictions of justice for all. She proved that no amount of psychological trickery or glorified lies could sway her determination to view the evidence only as it was presented.

We praise her actions and hold in high regard her courage and integrity at a time when pressure from the other eleven jurors must have been unbearable. The atmosphere of racism and intimidation that pervades the jury room in any trial of a Black person can only be partially imagined. No one but the jurors themselves actually realize the extent to which hatred, jealousy, fear and contempt grow and become ripe at the time of deliberations. Mrs. Henderson is a Mexican-American who makes it very clear that all ethnic groups contain those who will be just and fair enough, who have it in their hearts to be that way, to listen to facts when a Black person is on trial. But this does not negate the need for a fully representative cross-section of a community to be on juries, particularly where Black people are involved - for this can guarantee justice will be upheld.

And, because there was one token Black, a woman, on that jury does not prove that there was an attempt at justice. The logic of those in power being that if one Black is on a jury in the trial of a Black person, then this is equal to a fair balance of the various community ethnic groups. And in this particular case, the trial of

Huey P. Newton, this - they theorize and wish others to believe - would prove that that Black woman's vote of Guilty shows that since she, of all people, had to be impartial, her decision must have therefore been fair. Not true. She was a lamb in a den of wolves. Possibly wishing to please those who have always dominated her life; or intimidated by the great white majority; or wishing not to "take sides". She was the only Black person, after all, on the jury of a Black defendant, a man who has been cited many times as an enemy of the State, a foe of their inhumanity. It is a possibility, then, that she even feared some type of punishment from the court itself. For her decision that our Minister of Defense was guilty shows that she could not have weighed the evidence objectively.

The actions of Mrs. Henderson were, therefore, especially valiant. We see her as a pillar of strength, as a monumental woman, whose courage is even larger than that.

Huey P. Newton has been scheduled for a re-trial in Alameda County on October 12, 1971. This will be the third time he will be tried for this same charge. The judge for this re-trial will be assigned by the same judge, Hayes, who tried and convicted David Hilliard, Chief of Staff of the Black Panther Party. We know that at that time the same situation can repeat itself. Our only hope is that there will be more people like Mrs. Henderson on the jury, more people who will be sickened by the attempts of the State to murder a man who has committed no crime, but whose love for the People, the masses of poor and oppressed people, is so strong that he would die defending it - the Minister of Defense of the Black Panther Party, Huey P. Newton.

THE PEOPLE MUST BE THE JUDGES
ALL POWER TO THE PEOPLE

SIDNEY'S & BILLY'S HICKORY PIT

OLD FASHION BARBEQUE

6609 SHATTUCK AVENUE OAKLAND, CALIFORNIA

OPEN

WED. 11A.M. TIL 10P.M.

THURS. 11A.M. TIL 10P.M.

FRI. 11A.M. TIL 4A.M.

SAT. 11A.M. TIL 4A.M.

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CLOSED SUN.-MON.-TUES.

"...THE STATE UNLEASHED ITS MACHINE OF REPRESSION ON THE CHIEF OF STAFF OF THE BLACK PANTHER PARTY."

BY ANGELA DAVIS



When the jurors acquitted the New York 13 of 156 criminal charges, they were denouncing to the tune of 156 "not guilty's" a court which had unjustifiably approved, by setting exorbitant ransom, the two-year long imprisonment of Black organizers. They were denouncing a court which had already given its assent to an illegal prosecution. Of the jurors who would not convict Ericka and Bobby, the very same statement may be made.

At the time of the N.Y. verdict, the New York Times pompously asserted that their acquittal was definitive proof of the incorruptibility of the American judicial system. The acquittal, they editorialized, "should put to rest the unfounded but frequently heard comment that it is impossible for Black militants to get a fair trial in the United States." In its self-imposed nearsightedness, such an at-

titude is no different from the posture assumed by those whites who hope to absolve themselves of all racist collusion by pointing to their Black "best friends".

It is true that the New York 13 have at last returned to the people and that Bobby and Ericka, since the dismissal of charges against them, are now more immediately involved in the community of struggle. We all continue to rejoice at these victories--yet they cannot be misconstrued as evidence of the unadulterated neutrality of the judicial branch of government. Rather they demonstrate in bold relief the increasing refusal of formerly apolitical people to be manipulated by the repressive paraphernalia of the U.S. government. It was not the courts which rendered these victories possible and the courts must not, therefore, be praised. To the contrary, they must

be forced to admit defeat; these acquittals, in a fundamental way, were glaring indictments of a judicial system which has readily accepted the invitation to participate in the campaign to silence those who will not pretend that this is the best of all possible worlds.

As an important facet of our struggle, the underlying meaning of these recent victories must be made accessible to people who might naively succumb to the myopia evinced by the N.Y. Times editorial. If the return of these brothers and sisters to the community is not seen as a product of struggle, as a political event flowing from the heightened political awareness of ever-greater strata of the people whom this system preys upon, it ceases to be a victory. For its content is negated if it is seen as an automatic product of a court system purportedly designed to mete out justice to all. And worse, if acquittals of revolutionaries are seen as exclusively court victories and not as political victories or peoples' victories, the conviction of others is legitimized. A corollary of the Times' position is that all Black revolutionaries who are convicted must necessarily be guilty--not victims of repression. As victories, therefore, the recent acquittals demand even more concerted efforts on the part of cadre and the masses to offset the role of the courts as accomplices in the scheme of repression.

That countless political activists have been silenced through the use of the courts can be verified by a glance at the present roster of known Black political prisoners who have already been convicted. There are Charles Bursey and most recently David Hilliard, convicted of charges stemming from the April 6, 1968 police attack in Oakland during which Bobby Hutton was killed, Connie Tucker, Lee Otis Johnson, Martin Sostre and innumerable others have been given protracted sentences after being found guilty of trumped-up dope charges--a device utilized by the courts to remove them from the theater of struggle. Ahmed Evans' death sentence came as a reprisal for the mass insurrection of the Black community in Cleveland and his own political activities, Walter Collins, a Black SCEF organizer is

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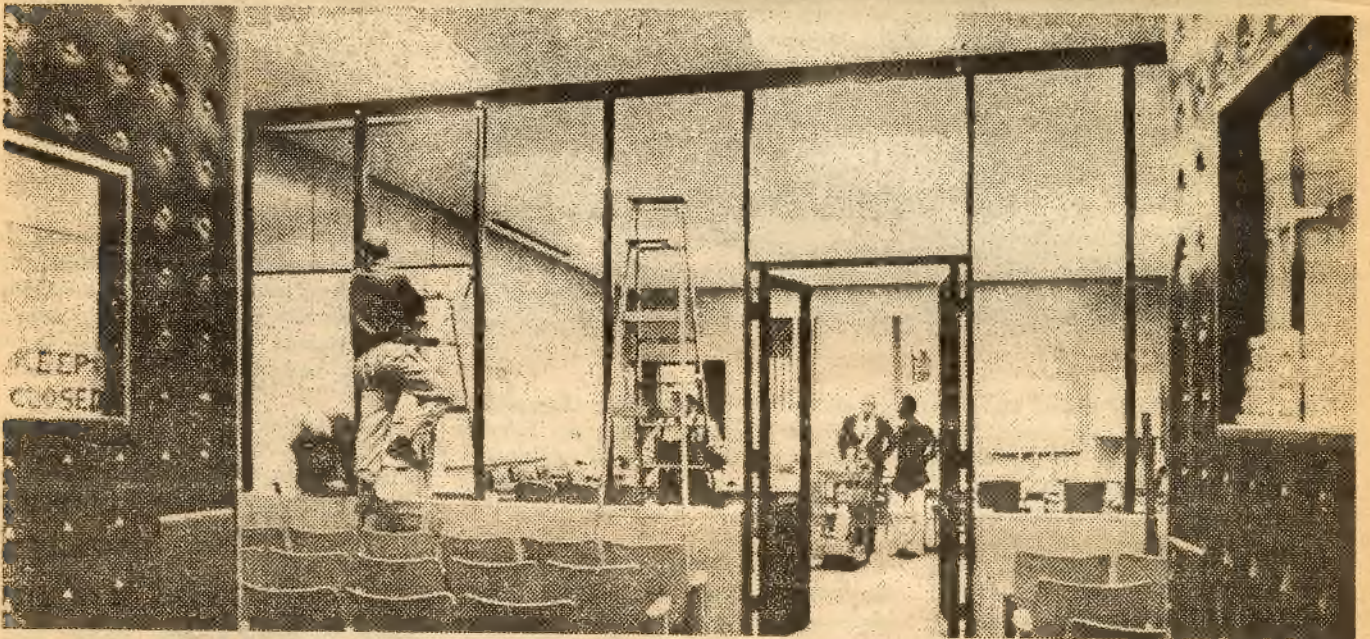
THE GLASS CAGE MUST COME DOWN!



GEORGE
JACKSON

JOHN
CLUTCHETTE

FLEETA
DRUMGO



THE GLASS CAGE GOING UP

The Soledad Brothers, George Jackson, Fleeta Drumgo, and John Clutchette, recently filed two motions on July 30th in the California State Superior Court in San Francisco asking that (1) the grand jury indictment that charges them with killing a Soledad prison guard on January 16th, 1970, be thrown out; and (2) that jurors in their cases be selected from fellow prisoners. George Jackson has been incarcerated for over eleven years for a \$70 robbery, which for most people

would have meant at the most 2 1/2 - 3 years. John Clutchette and Fleeta Drumgo have spent the last three and five years, respectively, in jail for burglary. John and Fleeta were to meet the parole board in April, 1970. Now, due to these charges, they all face death sentences.

From the time they were accused of the killing, the entire legal proceeding has been secretive, one-sided

and, to say the least, a mockery of justice. The physical evidence in the prison itself has been removed, "re-modeled" or destroyed; prisoners have been transferred; the judge has refused to open the case to the public and has forbidden the defendants to deny the accusations by the District Attorney. The defendants are treated as if absolute guilt has been proven. Even though any person charged with a crime must be considered innocent

until proven guilty.

Throughout the proceedings, the defendants have appeared with chains on their waists and shackles on their ankles and wrists, like chattel slaves. It would be more than absurd to feel that these three prisoners would receive a fair trial by a jury selected from the voter registration lists. It has already been said that random jury selection produces, roughly, white, middle-aged, middle-class people. An unbiased jury for the Soledad Brothers would be impossible to select with such a method.

John Thorne, George Jackson's attorney, stated (about the grand jury) in their first motion that, "poor people, young people, Blacks and Chicanos and other Third world people are systematically underrepresented on California grand juries today. Because judges personally appoint grand jury members, grand juries are largely composed of prosperous, middle-aged whites. The life styles of grand jurors are so removed from the experiences of the poor, the young and the non-white that they are unable to fairly sit in judgement on the actions of these people. Only a grand jury that represents a true cross section of the community is qualified to appraise the innocence or guilt of their fellow citizens." If the grand jury, which decides whether or not an actual crime has been committed is not made up of a cross-section of the community, what good are the rest of the procedures that should eventually end in an objective rendering of justice.

In reference to the second motion, and the more important, Thorne, George's attorney, states that "The culture and method of communication is so different in a prison that only fellow prisoners can judge whether or not another prisoner is telling the truth. In this case it is one prisoner's word against another, and persons who are not in or have not been in prison could never be a fair jury, because they couldn't pick up all the communication from the witness. It would be the same thing as asking a jury to decide a case when all the witnesses spoke a language foreign to the jury." For anyone who has ever been in a jail or prison this needs no explanation; for those who have not, prison life is a life different than all others, merely because the way our everyday movements are watched in the streets is condensed/concentrated upon one's every move. A man or woman prisoner lives almost like a guerilla fighter in prison. The battle being fought and won for the retention of one's dignity (manhood or womanhood) and the ability to survive their forms of harassment. Therefore, a whole unique life style is formed around retaining one's dignity and sanity. The language

changes - communication is only for friends, never the enemy, those who work in the capacity of overseers, guards, keyholders. The way of living becomes something only those locked in can comprehend. To bring persons from the outside community to judge persons involved in a "crime" which supposedly takes place inside the prison camp would be absurd - a lesson in futility. Europeans and Africans have trouble comprehending each other, simply because their basis for communication is not the same; everything about their way of life is different. Therefore, the Soledad Brothers should have a jury of their peers, representatives of their own community, which at this time happens to be the prison community in the State of California.

But before we can realistically discuss how to initiate a semblance of justice for these Brothers, by instituting a truly representative peer group as a jury, inmates from California's prisons, and thereby enable a picture of justice to be formulated in the American judicial arena, let us first discuss the unselected juror - the 13th juror, or the so-called judge. In our examination of how the judicial system does purport to function, it is rarely considered that the judge, per se, can be debated. That is, a judge carries a great amount of power in a jury trial - he becomes a member of the jury unchosen, un-selected, from voter registration lists. He allows or disallows the discussion of certain subjects. He is not a mediator or referee; he is another juror, that one with the greatest power.

The Soledad Brothers, scheduled to begin trial on August 9th, went to court on that day to say they would not go to trial with the APPOINTED judge. They had already filed a motion requesting the dismissal of that judge, Walter Carpeneti, due to Carpeneti's open display of racist attitudes, overt racism. Carpeneti made no attempts to hide his contempt not only for Black people as a whole, but for Brothers George, Fleeta and John particularly. Their motion was, of course, denied (by State Appellate Court Judge Richard Carter). Therefore, on August 9th, the defense used its one opportunity for this proceeding to move this particular racist, Carpeneti, away from any ability to use his pre-judged judgements in their case. They filed a motion to use their one peremptory challenge of a judge against Carpeneti. This means that they, as defendants, are entitled to challenge, only once, the appointed trial judge, without giving over any particular reason.

Carpeneti had to step down from the case. His own laws say so. Although the government press tried to indi-

cate he had committed some act of justice, by stepping out, he, of course, had not. Firstly, the law allows such a challenge of this juror-judge; secondly, he knows that racism flows rampantly among his colleagues and he can be confident that they will act in accord with his own madness. Carpeneti, a retiring, rather decrepit judge, just prior to that had made reference to the trial as reminding him of Lewis Carroll's "Alice in Wonderland". Reminiscent of that work, Carpeneti sat there and very much like the Queen of Hearts who also sat in judgement in a bizarre court, who, after the King had said, "First the trial, then the sentence", said, "Nonsense, First the sentence, then the trial!"

And even more related to Carpeneti's reference there loomed darkly over the courtroom, dividing people from pigs and caging the "animals", the Brothers, with them, Alice's Looking Glass. But this was a real phenomenon - neither fantasy, nor dream. A structure had been erected there inside the court - even when in "order" - that could only be indicative of the next phase in the special, sophisticated brand of open American Fascism. The structure is five feet of large sheets of plexi-glass type material, allegedly bullet - proof (bearing the stamp, "America - Bullet Resistant"), sealed together by strips of metal. On top of this is a three-foot high strip of metal grating. All of this cost San Francisco taxpayers \$11,000. All of this is to say that justice will prevail - in spite of the supposed innocent-until-proven-guilty defendants, who are just so vicious, that they must be caged in. All of this is so contradictory to the assumption of innocence that is supposed to prevail, that one wonders why there is even any effort exerted by the State to go through the motions.

Hardly anything seems possible to salvage the situation. Hardly anything done in their courts seems feasible to introduce the idea of justice, much less Justice itself. Certainly before any trial can begin THE GLASS CAGE MUST COME DOWN. As it will - eventually, as will the walls of Soledad, Quentin, Folsom - all the prisons and jails across the country which unjustly house our beloved people without cause, as will America which oppresses so many millions of beautiful people as George Jackson, John Clutchette and Fleeta Drumgo.

**FREE THE SOLEDAD BROTHERS
ALL POWER TO THE PEOPLE**

NOTE: Come to the next scheduled trial date for the Brothers - August 23, 1971 - California Superior Court, 7th and Bryant Streets, Department 21, San Francisco, California.

A MEMORIAL FOR JONATHAN JACKSON

On Saturday, August 7, at St. Augustine's Episcopal Church in Oakland, California, the family of Jonathan Jackson, Black Panther Party members and people from the Black community commemorated his life and those of James McClain and William Christ-mas, who all made a bid for freedom in Marin County on August 7th, one year ago.

There were messages and readings given by the Chairman of the Black Panther Party, Bobby Seale; Ericka Huggins; Jonathan's sister Penny Jackson; Father Earl Neil, of St. Augustine's Church; Mrs. Ruth Jones; Frank Jones of the Ruchell Magee Defense Committee and Reverend Cecil Williams of Glide Memorial Church (San Francisco).

Elaine Brown of the Black Panther Party, Earskin Fuller and a religious jazz ensemble called Meridian West paid tribute to our three beautiful brothers in song.

The memorial service was proof that though physically they may have been taken from us, their spirit lives on in our hearts and minds.



JONATHAN

ALL POWER TO THE PEOPLE

A POEM FOR JONATHAN JACKSON

one life jonathan
a fleeting moment you stayed and our lives were filled
(somehow) with your strength
some of us knew only your name
some of us saw only your face
many of us condemned your thots
most of us loved you - jonathan
blossoms of orange and yellow are like your gentleness
steel and oakwood are like your soul
songs unsung for you hum inside me
poems unwritten guide me, thru days
sometimes
comrade jonathan
man-child

promise of a future
fathers and sons you are
sons that grow into men, you are
men that become aware of the truth,
how coarse life is - yet we must celebrate it
- give to it - you taught us
that if we can suffer living, dying is smooth
especially if we give to the people our lives
one life jonathan
life jonathan
jon-a-than - a life.

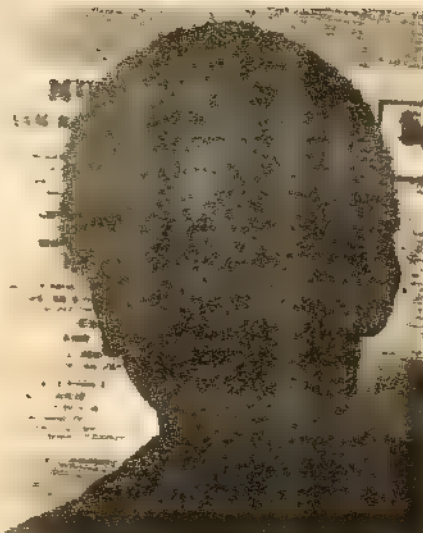
Ericka Huggins

WHERE IS SAM GILLIAM?

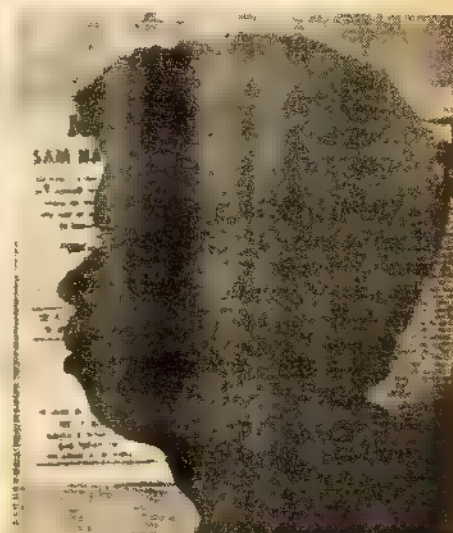
Sam Gilliam, a dedicated member of the Atlanta Branch of the Georgia State Chapter of the Black Panther Party, is missing.

In June of this year, Sam went to Greensboro, North Carolina to visit his mother who was seriously ill. While there, he worked with the Winston-Salem Branch of the Party's North Carolina Chapter. Then, in late June, Sam was arrested by local fascists in North Carolina - there was some kind of "disturbance" in the town and Sam was rounded up with many other Brothers and Sisters by police. Tried and convicted in two days, he was bailed out on an appeal bond.

Since it was then necessary for Sam to remain in North Carolina for subsequent court appearances, he continued to work in Winston-Salem. It was decided that it would be good if he would work in nearby High Point at the Community Information Center there. Before leaving, Sam went again to visit with his mother in Greensboro. In a few days he left his mother's for High Point. That was the last that anyone he knew saw or heard from Sam. That was the last time his mother saw or heard from Sam.



With this in mind, it is very possible that Sam has met with some foul play at the hands of the North Carolina racists, fascists; or that his life is in danger, since it is very unusual for him not to call or maintain contact with the closest Branch or Chapter of our Party wherever he is, or certainly to maintain contact with his mother. We have checked all the jails and prisons, hospitals, etc. in North Carolina and Atlanta, Georgia - with no success.



If you have any information regarding the whereabouts of Sam Gilliam, please contact our Party Branch either in Winston-Salem at (919) 725-5544 or Atlanta (404) 378-5515, immediately. His full name is Samuel Lee Gilliam. He is 21 years old, approximately 5'6" in height and weighs 140 pounds.

ALL POWER TO THE PEOPLE
Georgia and North Carolina Chapters
Black Panther Party

AND THERE ARE ALWAYS THOSE WHOM THE OPPRESSOR CAN BUY



Dynamite did not destroy the will to fight and survive.

CONTINUED FROM PAGE 7

nesses in the area and the homes looked like a Vietnamese community or village after such a search and destroy attack mission. One man in the community, for example, was forced to take shelter in a refrigerator in his appliance store, for the duration of the raid. Others' homes were burned or so filled with straying tear-gas canisters that they were forced into the cold of the early, December morning. Still others in the community were not so fortunate, however. One woman, who lived on a nearby street, and who had need of oxygen for an illness for which purpose her home contained an oxygen tent and tank, suffered not only from her house being filled with tear gas from off-target canisters, but also with the loss of this vital, life-giving equipment by several stray rounds of ammunition of the many thousands that were fired toward the office. With all of this, police were only able to remove the people from the office after 5 1/2 long hours. The reason they came: They had arrest warrants for three people, only one of whom they could have reasonably believed to have been in that office at the time, for police had arrested the other two prior to the raid.

Now (almost two years later), the fascists have finally fixed-up a so-called case to be presented in their court, in which case they have the gall to put the Black Panther Party and the Black community on trial for the wanton acts of aggression perpetrated by the L.A.P.D. and auxiliary forces that December 8th (1969).

The major portion of the trial began on Tuesday, July 20th (the jury having been selected prior to that), with Prosecutor Ronald Carroll's opening oratory, supposedly given for the purpose of introducing his case to the jury. In this statement he said that 1969 was a "crescendo of violence", hoping that the jury would

feel that it was the Black Panther Party which attacked the police. This was done in the very face of the people who had just witnessed the film he showed, made by the L.A.P.D. of the entire pre-dawn raid. This film clearly showed that it was the L.A.P.D. which had the battering ram to knock down Party office doors, the L.A.P.D. which had the tear gas launchers, the M-16's, the M-60 machine gun, etc. This did not seem to affect Carroll, as he arrogantly stated that he had enough "evidence" not only to convict the people on trial, but to also

to say all this was not the police film, nor the collected "evidence", nor the People of the State of California. What gave Carroll his over-estimated confidence was the State's star witness, a former Black Panther Party member who was arrested also in the December raids, Melvin "Cotton" Smith. And on July 23rd, three days after the opening statements, Melvin Smith, afraid of returning to prison (he had served eight years in the County State Industrial Prison in Kansas), took the stand. Smith stated that he began his affiliation with the Black Panther Party in October, 1968. He further stated that he had continued this affiliation until December 8, 1970, at which time he was in Dallas, Texas with other people now involved in this trial. There he had had Dallas police contact Los Angeles police concerning information he had about the "Los Angeles Panthers Central Headquarters Shoot-out with the police".

Smith has always been known to be extremely nervous, usually speaking in a rapid staccato speech pattern. Although he is usually extremely tense, on that Friday, the first day of his testimony in behalf of the police, Smith was so calm that he appeared to be in a trance. In fact, defense attorneys rightfully demanded to know under what type of drugs or sedation Melvin Smith was testifying. Unable to disguise Smith's obviously drugged state, the prosecution claimed that he had only been given antibiotics for a high temperature on the previous day.

Smith was only on the stand the first day for one and one-half hours. However, within that short period of time, he managed to play back all the lies that the D.A.'s office had fed him at least since December 8th, 1970, when he was brought back from Dallas. But he attempted, under Carroll's pre-trial direction, to lay the ground work for a blanket indictment of the entire



Members of the Black community were harassed along with Panthers.

indict or charge other Black Panther Party members (whom he named) and other individuals from the community, not involved in the raid or this case. He further stated that he hoped to present enough "evidence" to indict the entire Black Panther Party for "their conspiracy to kill police officers".

But, what gave Carroll the nerve

CONTINUED ON NEXT PAGE

AND THERE ARE ALWAYS THOSE WHOM THE OPPRESSOR CAN BUY



The "victims" of the unprovoked attack.

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Black Panther Party. For even though Carroll had claimed in his opening statement that the Black Panther Party was not on trial there, he fed Smith question after question in regard to the ideology and goals of the Black Panther Party, and made frequent reference to Huey P. Newton. Smith sheepishly played back his better-than-nothing information on this subject with statements that clearly indicated that he was not even capable of following the boss's instructions as to what to say: He stated that "offing pigs" was the primary reason for the Party's existence. He stated this meant the arbitrary killing of police officers, the old line of the U.S. mass media. They even reject this idea now. And anyone who has any knowledge of our Party knows that the Black Panther Party was formed in response to the basic needs and desires of poor and oppressed Black people, all oppressed people; and that "off the pig" was an old Party slogan that came into use during the early stages of the Party's development, which slogan simply meant to get rid of or alleviate the oppressive conditions in our community. Anyone who has familiarity with our Party's free breakfast, free food, free clothing and shoes, free medical and other programs, anyone who reads our newspaper, knows that not only has this slogan been long out of use, but that the Party itself has returned to emphasis of its original vision of serving the People of our communities.

It is because Melvin Smith always refused to attend the political education classes required of all Party members, that he could only weakly mouth his "urban guerrilla"-type fantasies and militaristic illusions with the words of the D.A.'s office about the Black Panther Party and its purpose and goals. These are goals which the Black Panther Party has clung to, ad-

hered to, dreams we have desired for all the People, since the inception of the Party. The U.S. news media's false propaganda about hoodlums, terrorism or arbitrary violence has been just that. False propaganda. Obviously some Black people were fooled. But most people in the Black communities have long known of the Free Breakfast program and of the true interests of the Black Panther Party - the liberation of our People; true peace and happiness for all the people. But Melvin Smith is not a smart man. He didn't understand this then, and he doesn't understand it now. And although he attempts to twist fantasy after fantasy into believable statements, he fails to do so. Even the jury has laughed at what he has said.

The Black Panther Party had always been tolerant of Melvin Smith during the broken periods of his membership, however. The Party was aware that he had served eight years in the County State Industrial Prison and therefore attempted to excuse and understand his fantasizing, with the knowledge of what oppressive conditions of America's prisons and jails can do to a human being. And the Party understood why Melvin Smith had vowed that he would never return to prison. The Party tolerated his lack of discipline because of this; his fanatical devotion to a super-military point of view in relation to transforming the existing oppressive structure to the benefit of all the People; even his refusal to work in the People's Survival Programs, in the hopes that he could be educated and perhaps develop into a true servant of the People, as he allegedly wished.

His refusal to learn anything and his fear of going back to prison have brought Melvin Smith to testify against the People. And these things and more have made Melvin Smith that type of traitor to the People, that sick in-

dividual that puts his own life and desires above those of the People's struggle for liberation. A true servant of the People is willing to die for the People, and equally willing to live for the People, to work in the interests of our oppressed community, to endure the suffering and struggle that is part of the usually short-lived life of a true people's servant.

Throughout history there have always been those whom the oppressor can buy in his efforts to thwart the People's drive for freedom. Melvin Smith has shown himself to be such an individual. He has betrayed Black People, not even receiving thirty pieces of silver for his efforts. He has only been granted immunity from prosecution by the D.A.'s office and a choice of living under their protection and on their money anywhere else in this oppressive country. But history will not absolve Melvin Smith - nor will the People forgive him his treachery.



Los Angeles Police claim only 500 rounds of ammunition were fired into the building.

The Black Panther Party cannot be destroyed by these feeble attempts to defame or to slander. The People have and will continue to judge by practice. And we will rest on that - the judgement of the People; for in the last analysis, all hope rests with the people.

ALL POWER TO THE PEOPLE

IS PROVIDING HOUSING FOR THE HOMELESS A CRIME?

CONTINUED FROM PAGE 2

a month for the hovel. Epstein told the Boyds that he'd tear the house down around them if they didn't move by Friday - the day the Party members moved them out.

Mrs. Boyd was sick at the time - she was taken to the hospital with yellow jaundice on Thursday night. Nearly all of her children were ill as a result of the filth spread about by rats and roaches. One child had worms in his blood. Another spent three weeks in the hospital.

Mrs. Boyd had applied to the MHA for public housing in 1964. She and her mother called often, pleading for housing; they didn't get it until this direct action was taken. When police came to her new apartment to arrest the Party members for their "crime", she feared for her children's lives. The Brothers and Sisters arrested there, therefore, gave themselves up. Mrs. Boyd says, to save her children from being shot.

Mrs. Rubie Adam was also moved out of her house by members of the Memphis Branch. She and her seven children were afraid to go to bed at night because of the rats in the house. Her roof was coming down on the inside and there were broken windows and holes in all the walls of her house, too. The toilet at their old house backed up when the kitchen water was turned on. Mrs. Adam could not sleep through the night because she had to keep getting up to wipe toilet water off the floor where her children slept. For this, she paid \$37. a month.

When her family moved out of the house, three of her children were sick. The building was condemned, and the family had only five more days to move out. Rats had bitten one of her girls and a doctor warned them to move away for the sake of their health.

Mrs. Adam had applied for public housing more than a year ago. She continually called the MHA, but they always told her: "Sorry - we have 3,000 families ahead of you."

After the Brothers and Sisters were arrested, the MHA tried to force the families back into their old dwellings - but they would not go. Now most of them have new quarters in recently built units - as a result of the actions taken by the members of the Memphis Branch.

But the rest of the city's poor do not. In the area around Texas Court



This child's alternative was staying here or moving into the streets.

and all over the city, poor families are still waiting on the MHA. One woman, who applied for public housing more than nine months ago, says that at night rats jump in bed with her. While waiting for the MHA, one of



We are arrested for helping ourselves.

her children's toes was bitten half off by a rat. A recent study of Memphis housing found that there are 4,088

families on MHA's waiting list, the city is 10 to 12 years behind in construction of public housing.

The city is now tearing down 8,104 occupied housing units. Only 5,601 of these are scheduled to be replaced. And 503 new units have been built so far, although the city has already torn down 4,223 units. And, of course, the MHA also practices discrimination against poor and Black people. Welfare families wait indefinitely for housing that never comes. Families with a higher income can sometimes get into public housing in a period of months, or even weeks. White people in some areas are given first chance at city housing, according to many of the Black people in the community.

The sixteen members of the Memphis Branch of the Black Panther Party who were finally arrested over the housing issue were put under such high bonds by the city that most of them were not able to get out of jail for months. One of them, Roger Williams, has not been able to raise his bail and he is still in jail today.

All 16 are charged with "conspiracy". The state does not have to prove that they committed an illegal act. It only has to convince a jury that they planned, or conspired, to do something illegal.

Two of the 16 are charged with "assault to commit murder", for allegedly pointing guns at police. Yet none of the police claim they were physically assaulted or injured. In spite of this, the two could serve long prison terms if they are convicted.

Besides being jailed, these Brothers and Sisters have been followed, harassed and arrested on petty charges since January 18th. One incident was publicized in the "Tri-State Defender" - where police entered the home of one of the defendants without showing a search warrant and ransacked it. Pictures in the "Defender" showed the furniture which the police had slashed with knives during the "search."

Arrests, raids, and jail - this is how the city has chosen to deal with the real problems that poor people face in Memphis. If the Memphis 16 are put in prison, then anyone who stands up for social justice can expect the same treatment.

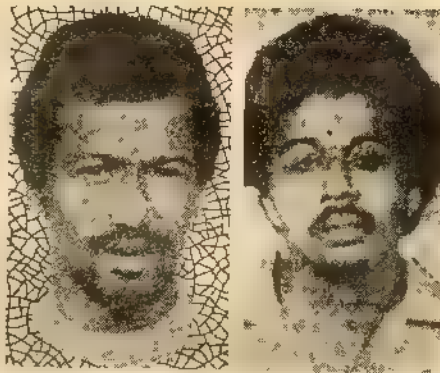
ALL POWER TO THE PEOPLE
Memphis Branch
Black Panther Party

12 WHITE SUBURBANITES WRONGFULLY CONVICT RANDY AND MELVIN

On August 4, 1971, twelve people from various white, suburban sections of Alameda County gave their rubber stamp of approval to a pre-planned railroad of Randy Williams and Melvin Holloway. This jury of non-peers returned a conviction against Randy Williams, a member of the Black Panther Party, and Melvin Holloway, a Brother from the Black community, on eight counts of assault on a police officer with the intent to commit murder, and one count each of unlawful possession of a machine gun, unlawful possession of hand grenades, and reckless and malicious use of explosives.

Randy and Melvin were arrested on April 17, 1970, after over forty members of the Oakland Police Department viciously attacked them and did unlawfully assault THEM with intent to commit murder, using the same type of weapons used daily against the Vietnamese people. However, Randy and Melvin have been charged and convicted of these criminal acts, perpetrated on them by the murderous Oakland Police Department, only because they survived.

When they were first arrested, Randy and Melvin were both beaten and tor-



RANDY
WILLIAMS

MELVIN
HOLLOWAY

tured. Randy was beaten until he could no longer walk. One of the pig witnesses (there were forty) in the trial had the gall to admit to this atrocity, adding, "He (referring to Randy) then 'refused' to walk to his cell." Melvin was hung from a window in the Alameda County Jail and told that he would be killed if he did not sign a confession.

The blatant lies, the lack of evidence and the obvious railroad of these two courageous Brothers was made possible
CONTINUED ON NEXT PAGE

(Republic of Korea - South Korean puppet government) soldiers harass me, yet you tell me to search and destroy the "VC". The VC have done nothing to me, but an officer in my company threatened me. If you were in my shoes, which one would you look at and load your M16 on? The officer or VC?

I ask you to forward the necessary paperwork so that I can leave this band of mercenaries. I do not support the Army, its values or traditions. I am a servant of all oppressed peoples (especially Black ones) and the welfare of my people is the foremost thing in my mind.

Capitalism (the heartbeat of Amerika) and dope (which takes precedence over Vietnamization in Vietnam) are destroying the minds of my people. You know it. That's why you raise the penalty for possession of drugs, rather than destroy the opium fields in this part of the world. You and your Klan come 10,000 miles to Vietnam to practice genocide on a race of people; yet you won't travel 8,000 miles to burn some opium plants. I know you. I read your history books. What's good for you is not necessarily good for me. My people are being educated and not from your books. My people are graduating with P.H.D.'s in the school of life.

This letter is a demand for discharge from the Armed Forces of the United Empire.

Several of my brothers in Vietnam have been herded in Long Binh Jail (P.O.W. Camp) for petty offenses. The same offense committed by "white boys" find them rehabilitatively transferred and no other action taken.

I write this letter and do not fear you or any man. The contents of this letter is my normal conversation to my brothers and they are beautiful people.

I could write pages of formal charges against your complex capitalistic organization but that is not the purpose of this letter. As stated earlier, I demand a discharge now. Your sleeves are ragged because you have been going up them too much, trying to find another trick to turn my brothers against me.

A copy of this letter has been sent to various "civilian" publications and all of us are awaiting your decision. I remain,

SP 5 Jeffrey Burnette DeShields
219 50 1799
U.S.A. APO SF 96312

NOTE: Since this letter was written, Brother DeShields has been falsely charged with unspecified "crimes" and is now in a U.S. Army Stockade.

LETTER TO WESTMORELAND

CONTINUED FROM PAGE 5

China and shackled Black minds in Amerika is only one step of your master plan. Ironically, your ruling class teaches my people that Hitler was a very bad man. Take a close look at Amerika's role in the world today and I will bet my life that the ruling class (you and your cohorts) had to memorize "Mein Kampf" and put it to practice to everyone that isn't of your culture.

I repeat, I demand immediate discharge...under any conditions. Some of your henchmen have promised me that I will never leave Vietnam alive. This does not phase me, rather it makes me elevate my struggle. You and your Nixonites have murdered countless numbers of my brothers; simply because they were educating the masses of the people to power/knowledge of self. You have us in jails all over

because of our views on the way life should be lived. Many of my brothers in Vietnam would fight you, but they have loved ones at home and they know of the reprisals for being a man. I have loved ones too. I have a Queen, a Mother, and a Son. I also have millions of Black people who I must love. My immediate loved ones know the dangers of our confrontations; but this is life. Your people praise all the white revolutionaries of 1776. My people praise all of the revolutionaries of 1971.

In America, racism is the accepted way of life, consequently we are not surprised to find racism everywhere you find Americans. You have been on fact finding tours all over the world where soldiers are stationed, Alaska, Hawaii, Vietnam etc.; all have racism actively. My brothers are not responsible for a Korean soldier in Vietnam calling me a nigger. ROK

RANDY AND MELVIN WRONGFULLY CONVICTED

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by an unfeeling, disinterested jury of non-peers. Racist statements and slurs made by Prosecutor Charley Johnson were met with nods of approval or a friendly chuckle from the jury.

After a decision to admit Melvin's forced "confession", Melvin rightfully refused to come to any further court proceedings. When his attorney filed a motion for Melvin to at least hear the proceedings from another room, this motion was denied. The trial of Melvin Holloway continued, however, in his absence.

On August 4th, one day after being

sent out for deliberation, the jury returned with the expected conviction. No one was surprised with the verdict; it could be seen from the beginning of the trial. After the jury had been selected, Randy walked into court, cast his eyes upon this all-white, non-peer group of middle-aged suburbanites and laughed. He knew that in this case a conviction was inevitable; but that in the final analysis, so is the victory of the People.

Randy and Melvin will be formally sentenced on August 18, 1971, in Judge Sutton's court, Department One, at the Alameda County Courthouse. They will then be shipped to Vacaville Concentration Camp, where they will join David

Hilliard, Chief of Staff of the Black Panther Party, who was also recently railroaded on political frame-up charges, stemming from the April 6th (1968) Oakland Police attack upon the Black community in which L'il Bobby Hutton was assassinated by these fascists.

In a letter to his wife, Mary, Randy stated that he is ready to go to Vacaville and into the California Penal System, for he knows that we must and we will "wage a struggle in the prisons and the jails, simultaneous with the struggle in the streets."
**ALL POWER TO THE PEOPLE
FREE RANDY, FREE MELVIN
FREE THE CHIEF**

"... THE STATE UNLEASHED ITS MACHINE OF REPRESSION ON THE CHIEF OF STAFF ..."

CONTINUED FROM PAGE 9

now doing time because he would not be drafted into a monstrous military machine. Romaine Fitzgerald (sentenced to the death penalty) and Lonnie McClucas are serving prison sentences for no other reason than that they are members of the Black Panther Party.

The most recent illustration of the devastating power of the courts and the continuing deterioration of what is supposed to be justice is of course the conviction of Brother David Hilliard. On the occasion of David's conviction, the New York Times and other liberal circles were not disposed to editorialize. They would have been forced to concede that the guilty verdict was a bold contradiction of their insistence that justice never falters even when the recipient is a Black revolutionary.

David's conviction was a characteristic instance of the judicial system mustering all its well-oiled components to suppress an individual not because of a crime he allegedly committed, but because of his political beliefs and reputation.

The prosecution clearly could not even pretend that it had a legitimate case against David. In the first place, it is evident that the incident of April 6, 1968, was provoked by rabid mercenaries of the Oakland Police Department, who were determined to kill Panthers. The recent statement by the Black policeman who was on the scene should definitively prove that L'il Bobby was murdered in cold blood and that this, in fact, was the purpose

of the attack. But even if we assumed, for the purposes of argument, that the prosecutor was correct in his contention that the pigs, not the Panthers were attacked, David's innocence would still be manifest. Not a shred of evidence was produced at trial which tied him to the incident--no weapon, not even presence. David is innocent, even within the framework of the fraudulent allegations relied upon by the prosecutor.

We must, however, go further than declaring in general terms that David is one of the latest of victims of a monstrous scheme of political repression. We must try to isolate the specific forces which permitted such a gross miscarriage of justice, for these are the forces against which we must wage a relentless battle.

A judge and a jury on which there were no Blacks had apparently no scruples about offering themselves up as tools of the prosecutor who, in turn, was carrying out the racist, class-biased aims of the government. This was, in essence, the courtroom scenario. Given this blatant inequality between David and his (and our) adversaries, the outcome was virtually predetermined.

The force inside the courtroom proved to be a microcosm of the immensely destructive racism with which Black people must contend at every step of their lives. Had David been Black and not a well-known Panther, the cards would have still been stacked against him. But he was not only the target of centuries of racism crystal-

ized in the attitudes of prosecutor, judge and jurors; he was also the object of the intense hatred of the Black Panther Party which has been consciously and systematically promoted by the state of California. In this respect, David's conviction as a leader of the Party - and as one of the few leaders who had previously escaped long-term imprisonment--must have been a consciously willed element of the over-all design to suppress the Party.

The recent failure of the Federal Government to attain a conviction against David on the spurious charge of having threatened the life of the president evidently made the state all the more eager to silence him. Moreover, the wide-spread publicity around this particular charge could not but have elicited perverted, pseudo-patriotic feelings from those who were to forge his chains.

There is yet another factor which must have played a crucial role in the contrivance of the conviction. At the time David was brought to trial, the Black Panther Party had intensified its efforts to create stronger bonds between itself and the Black community. In speeches made by the Minister of Defense, articles in the Newspaper and day-to-day community work, the revolutionary potential of existing community institutions (many of which had been previously and incorrectly considered off-limits for the "revolutionary"), was being analyzed as well as concretely tapped. The specter of

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PETITION

FOR CROSS SECTION OF COMMUNITY ON JURIES AND FOR PROBATION OR APPEAL BAIL BOND FOR BROTHER DAVID HILLIARD:

WE, THE UNDERSIGNED COMMUNITY PEOPLE, DO HEREBY PETITION THAT BROTHER DAVID HILLIARD, CHIEF OF STAFF OF THE BLACK PANTHER PARTY, PRESENTLY HELD BY ALAMEDA COUNTY AS A POLITICAL PRISONER, BE GRANTED HIS CONSTITUTIONAL RIGHT OF AN APPEAL BAILBOND OR PROBATION, PENDING APPEAL OF HIS CASE TO A HIGHER COURT.

THE U.S. CONSTITUTION STATES THAT JURIES SHALL REFLECT A CROSS-SECTION OF A COMMUNITY, OR A PEER GROUP. THERE WERE NO BLACK PEOPLE ON THE JURY IN THE CASE OF BROTHER DAVID HILLIARD, ALTHOUGH 38% OF THE OAKLAND COMMUNITY IS BLACK. FIVE BLACK PEOPLE SAT ON THE JURY IN THE RECENTLY DISMISSED CASE OF BOBBY SEALE AND ERICKA HUGGINS, EVEN THOUGH ONLY 9% OF THE NEW HAVEN COMMUNITY IS BLACK. THEREFORE, THE CASE OF DAVID HILLIARD, PARTICULARLY, CLEARLY POINTS OUT THE NEED TO HAVE PROPER REPRESENTATION ON JURIES THROUGHOUT THE COUNTRY.

IN THE LIGHT OF THESE FACTS, WE THEREFORE PETITION THAT DAVID HILLIARD BE GRANTED HIS CONSTITUTIONAL RIGHT OF AN APPEAL BAILBOND OR PROBATION, PENDING APPEAL OF HIS CASE TO A HIGHER COURT, AND THAT THE RE-TRIAL JURY REPRESENT A TRUE CROSS-SECTION OF THE COMMUNITY.

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"...THE STATE UNLEASHED ITS MACHINE OF REPRESSION ON THE CHIEF OF STAFF..."

CONTINUED FROM PAGE 17

an even more powerful revolutionary organization was emerging, an organization which was cleansing itself of counter-productive internal contradictions. Objectively seen, the conviction of David Hilliard was indicative of the new offensive which the state has begun to launch against the Black Panther Party and the constituency it is bringing together in the Black community.

It was for all of these reasons that the state unleashed its machine of repression on the Chief of Staff of the Black Panther Party. One more name has been added to the lengthy list of Black political prisoners across the country. It is becoming increasingly obvious that fascistic ruling circles are relying to an ever greater degree on the legal machinery to execute their aims of annihilating the liberation movement. In this way, they hope to accomplish our defeat by a strategy of attrition. That is, they hope that as political prisoners become more numerous and as people therefore become more accustomed to the existence of large numbers of imprisoned

activists, then the less inclined they will be to vigorously contest the power of the government. The same phenomenon has occurred in the past with respect to other extreme forms of oppression which have come to receive a kind of twisted legitimacy merely by virtue of their repetition.

Political prisoners must not come to be accepted by the people as expected casualties of the movement. True, we continue to realize that the government will have recourse to any and every form of repression in order to insure our defeat; but we cannot permit ourselves to adopt the government's frame of reference. We cannot afford to assume a "I knew it would happen" attitude each time a leader of the people is wrested away from the community. Moreover, it would be disastrous for the movement to relegate the struggle around political prisoners to a tangential sphere. For the greater the numbers of brothers and sisters who are taken captive, the easier it becomes for the government to continue to call upon the legal apparatus as its most important counter-revolutionary weapon.

It is essential that brothers and sisters, who are still in a position to avail themselves of the relative freedom of the streets, intensify the struggle to free political prisoners--to free David Hilliard. Only in this way can the movement begin to counter the fascist thrust and thus to clear the ground on which further organizing for the confrontation with an oppressive social order can take place.

Each time a leader is taken from the people, not only must there occur a massive and intense response around the defense of the brother or sister in question. This occasion must be utilized to develop more fuel and new dimensions for the struggle to free all political prisoners. Such a struggle must presently be conducted around David's defense.

It was the people who liberated Ericka and Bobby, the New York 13 and Detroit Panthers--so it will be the people who will free David! David, Romaine Fitzgerald, Hugo Pinell, Marie Hill and all political prisoners.

WHY MUST BLACK PEOPLE
LOOK AT EACH OTHER THROUGH PRISON BARS? WHERE IS OUR FREEDOM?

